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PATENTS

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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| In re Application of: **Werner Hiereth et al.** | |
| Application No.: **10/673,913** | Art Unit: **3739** |
| Filed: **September 29, 2003** | Examiner: **David M. Shay** |
| For: **Laser With Intelligent Therapeutic Fiber** | Atty Docket No: **10286.105001** |

## INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant cites the information on the attached Form PTO-1449, "List of Information Disclosed by Applicant," pursuant to 37 C.F.R. §§ 1.56, 1.97, and 1.98. Applicant has enclosed a copy of each cited foreign item.

Items AC-AF listed on the attached Form PTO-1449 are not in the English language. Regarding item AC, Applicant submits the following as a concise statement of the relevance of that document: Column 1, line 63 to column 2, line 16 of Item AC describes that the problem of being able to detect a device that is coupled to a power supply apparatus by means of a plug-and-socket connection is also of special importance in the field of laser medicine in that, for example, a catheter representing the device is to be connected via its plug to the socket of a supply apparatus in the form of a laser device. In light of the increased use of medical laser technology, optical fibers in the form of glass fibers are also employed as catheters. The thin, flexible glass fibers allow the energy supplied by the laser device in the form of laser light to be inserted directly into the body without difficulty. By varying the mechanical and optical configurations, diverse medical applications can be covered this way. The optical fiber is

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on October 21, 2005.

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coupled on its one end to the laser device via a plug-and-socket connection, while the other end of the optical fiber is configured for distal procedures in accordance with the medical requirements and for example represents the medical catheter or the probe.

In addition, Claim 5 of Item AC describes a plug connection system used to perform the method according to any one of the claims 1 to 4, comprising a plug-and-socket connection (1, 3) to connect a device to a power supply apparatus and comprising a data transmission device (8, 9) arranged both on the plug (1) and the socket (3) for transmitting device-specific data to an evaluation unit, the data being stored on a data storage medium (6) provided on the plug (1) and/or the socket (3), wherein the plug (1) is an optical fiber plug and the data transmission device (8, 9) that is used to transmit the device-specific data from the data storage medium (6) to the evaluation unit comprises an induction coil provided on the plug (1) and the socket (3), respectively.

Regarding item AD, Applicant submits the following as a concise statement of the relevance of that document: Item AD describes mechanical coding of a light guide connector by means of a specific geometry of the contact slot. The last paragraph of page 2 and the first paragraph of page 3 of item AD describe, with reference to Figure 2 of item AD, that the contacts 6 are arranged in a square shape in order to enable the optical fiber coupling 1 to be connected to an applicator without confusion. The contacts 6 serve as programming plugs for the identification of the respective applicator type and the coding of the connected optical fiber type. This way, when connecting optical fibers with low load capacities the power of the laser is automatically reduced and overload avoided. Likewise application-specific data, such as the required gas flow or other technical/physical variables of the connected applicator, can be passed on the laser via the contacts 6.

In addition, Claim 1 of item AD describes an optical fiber coupling for a medical laser device comprising a sleeve-like casing for connection to a laser, characterized in that on a cylindrical coupling piece (1) the following additional connecting elements are arranged radially around the centrally located optical coupling (2): (a) a coupling (4) for gas supply; (b) a plurality of electric contacts (5) having a higher load capacity that are arranged symmetrically to the optical coupling (2); (c) a plurality of electric contacts (6) for data transmission purposes, the arrangement of the individual contacts in relation to each other being able to be selected

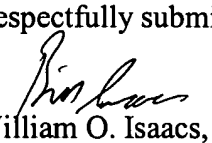
arbitrarily; and (d) a sleeve-like casing (7), which may be equipped with locking elements (8) where appropriate.

Regarding item AE, Applicant submits the following as a concise statement of the relevance of that document: Paragraph [0021] of item AE describes a detection element (11) arranged on carrier (9) of the working tools (A, B). The detection element (11) interacts with detector (12) which is arranged in the laser applicator when inserted into the laser applicator. An electric connection which is not shown forwards a contact signal to the laser device in order to adjust the maximum laser power. Claims 2 to 4 of the reference outline that the detection element (11) may be an electric resistance with resistance values that will be detected when working tools are inserted into the laser applicator (1). Furthermore, the detection element (11) may be a mechanical bold or colored element.

Regarding item AF, Applicant submits the following as a concise statement of the relevance of that document: The abstract of item AF describes standardized, lens free standard connectors (4) for electronic recognition and differentiation of disposable medical applicators connected to a laser. The connectors (4) are integrated in the applicators and have a color marking which serves as a code for the technical characteristics of the associated applicator. Provided in the laser head is a system consisting of radiation sources (7) and respectively associated detectors (8) which determine the color code by electronic means and transmit the received signals to an electrical evaluation unit (10). The evaluation unit can display suitability or unsuitability of the applicator. In the description, column 2, lines 33 to 53, item AF describes the laser head, the arrangement of the radiation source, and the respectively associated detectors for the detection of the colored areas, which are preferably colored rings provided at the plug.

The citation of this information does not constitute an admission of priority or that any cited item is available as a reference, or a waiver of any right the applicant may have under applicable statutes, Rules of Practice in patent cases, or otherwise. Applicant has enclosed a $180 check to cover the fee required under 37 C.F.R. § 1.17(p) for consideration of the documents cited herein.

Respectfully submitted,



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FORM PTO-1449, Adapted

# LIST OF INFORMATION DISCLOSED BY APPLICANT

*(Use several sheets if necessary)*

| ATTY. DOCKET NO. | SERIAL NO. | FILING DATE |
|---|---|---|
| 10286.105001 | 10/673,913 | September 29, 2003 |
| **APPLICANT** | | **GROUP** |
| Werner Hiereth et al. | | 3739 |

## U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
|---|---|---|---|---|---|---|---|
| | AA | 4,722,337 | 02/02/88 | Losch et al. | | | |
| | AB | 5,681,307 | 10/28/97 | McMahan | | | |

## FOREIGN PATENT DOCUMENTS

| | | DOCUMENT NUMBER | DATE | COUNTRY | NAME | TRANSLATION YES | TRANSLATION NO. |
|---|---|---|---|---|---|---|---|
| | AC | 42 29 566 C2 | 03/10/94 | Germany | | | X |
| | AD | 84 16 748 U1 | 06/01/84 | Germany | | | X |
| | AE | 100 09 004 A1 | 10/11/01 | Germany | | | X |
| | AF | 0 473 987 A1 | 03/11/92 | Europe | | | X |
| | AG | WO99/15237 A1 | 04/01/99 | WIPO | | | N/A |

## OTHER REFERENCES (*Including Author, Title, Date, Pertinent Pages, Etc.*)

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| EXAMINER | DATE CONSIDERED |
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.